

ARTICLE V
SPECIAL REGULATIONS

501 SPECIAL LAND USES AND STRUCTURES

501:1 INTENT

The regulation of land uses in West Traverse Township is accomplished by this Zoning Ordinance which designates zoning districts and sets forth uses allowed in each district. The intent of this section of the Ordinance is to recognize and provide for certain uses which do not logically belong in any particular district or which may be allowable only if they meet the standards and comply with conditions which ensure their being harmonious with the general character of the district in which they may be located.

501:2 GENERAL PROVISIONS

1. The only uses which have been designated as Special Land Uses in each respective zoning district shall be considered for approval as Special Land Uses.
2. All uses of land or structures which are designated as Special Land Uses in this Ordinance shall require the granting of Special Land Use Approval in accordance with the procedures of subsection 501:3 in this Ordinance, prior to the issuance of a zoning permit or certificate of occupancy.
3. A request for approval of a Special Land Use may be considered provided the standards of section 501:4 are assured and the submission follows the requirements of this Ordinance.

501:3 ADMINISTRATION AND PROCEDURE

1. Initiation of Request for a Special Land Use:

Any person owning or having an interest in property in West Traverse Township may initiate a request to operate or maintain a Special Land Use in the township by submitting an application for a Special Land Use Approval.

2. Application for Special Land Use Review:

An application for a Special Land Use shall be filed with the Zoning Administrator on a prescribed form. The application shall be accompanied by the site plan submission requirements of Section 403 furnished by the applicant with a written statement by the applicant. Such plans, data and statements shall be indicated in required detail and an estimated time until occupancy of the proposed use shall be provided.

3. Review of Application by Zoning Administrator:

The Zoning Administrator shall review the application and supporting documents and indicate by endorsement that the application has been properly executed. Application is then forwarded to the Planning Commission for review and hearing.

4. Review and Hearing by Planning Commission:

Upon receipt, in proper form of the Special Land Use application, the Planning Commission shall review said application to ensure that all conditions of this Section have been complied with. The Planning Commission shall hold at least one (1) public hearing on each application for a Special Land Use. Notice of said hearing shall be:

- a. Published in a newspaper of general circulation in West Traverse Township.
- b. Mailed by certified mail to the applicant.
- c. Mailed by U.S. mail or personally delivered to all persons to whom real property is assessed within three hundred (300) feet of the boundary of the property in question, and to the occupants of all structures within three hundred (300) feet. The notice shall be given at least fifteen (15) days before the date the application will be considered. If the name of the occupant is not known, the term "occupant" may be used in making notification. The notice shall:
 1. Describe the nature of the Special Land Use request.
 2. Indicate the property which is the subject of the Special Land Use request.
 3. State when and where the public hearing on the Special Land Use request will be held.

4. Indicate when and where written comments will be received concerning the request.

5. Recommendation by Planning Commission:

For each application for Special Land Use approval, the Planning Commission shall recommend to the Township Board approval, conditional approval or denial of the Special Land Use request. Communication shall state reasons and conditions of recommendation.

The Planning Commission may recommend and the Township Board may impose conditions necessary to insure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, to protect the natural environment and conserve natural resources and energy, to insure compatibility with adjacent uses of land and to promote the use of land in a socially and economically desirable manner. Conditions imposed shall do all the following:

- a. Be designed to protect natural resources, the health, safety and welfare, as well as the social and economic well being of those who will use the land use or activity under consideration, residents and landowners immediately adjacent to the proposed land use or activity, and the community as a whole.
- b. Be related to the valid exercise of the police power and purposes which are affected by the proposed use or activity.
- c. Be necessary to meet the intent and purpose of the zoning regulations; be related to the standards established in this Ordinance for the land use or activity under consideration; and be necessary to ensure compliance with those standards.
- d. Any conditions imposed with respect to the approval of a Special Land Use or activity shall be recorded in the record of the approval actions.
- e. Changes or alterations to the original approval Special Land Use and conditions thereof, shall require re-application for Special Land Use approval.
- f. Approval of a request for a Special Land Use shall not be granted if the Planning Commission, Township Board, or any official of the township finds that such Special Land Use would fail to comply with any of the requirements of this Ordinance.

- g. The Planning Commission or the Township Board may only require that the applicant requesting authorization for a Special Land Use furnish further engineering or architectural data, operating plans or other information when necessary to completely clarify the proposed Special Land Use.

(The following paragraph was added 6/4/03)

Where a proposed development is of sufficient complexity or there are circumstances where a reasonable visual inspection may not be able to confirm compliance with approved plans (for example, in instances of underground improvements, critical grading or slope change, complex curves, areas of critical tolerances or other practical difficulties) the Planning Commission may require the applicant provide a set of the approved plans bearing:

1. The seal of the project's engineer or architect; and
2. A certification by the project's engineer or architect that the project has been completed in compliance with the approved plans.

- h. In any case where a Special Land Use has not been fully complied with within one (1) year after the granting or approval of the Special Land Use permit, then without further action by the Planning Commission or the Township Board, the Special Land Use approval shall become null and void and the zoning permit or certificate of occupancy shall be cancelled. However, the Township Board may grant an extension thereof for good cause shown under such terms and conditions and for such period of time not exceeding six (6) months as it shall determine to be necessary and appropriate.
- i. Violations of this Section, Section 501 or any other portion of this Ordinance shall result in the automatic cancellation of the certificate of occupancy. Re-instatement may be made by the Zoning Administrator when the violation has been corrected.

6. Review and Decisions by the Township Board:

Upon receipt of the application and supporting data and the recommendation with supporting data from the Planning Commission, the Township Board shall review said application. Based on this review to determine if all conditions have been complied with, the Township Board shall approve or deny the request for the Special Land Use. If the Township Board determines that the particular Special Land Use(s) should be allowed, it shall incorporate in a statement the conclusions

relative to the Special Land Use under consideration which specified the basis for the decision and all conditions imposed. If the Township Board shall determine that the particular Special Land Use(s) requested does not meet the standards of this Ordinance, or otherwise will tend to be injurious to the public health, safety, welfare or orderly development of the township, it shall deny the application by a written endorsement thereon which clearly sets forth the reason for such denial.

7. Effect of Approval of Request for Special Land Use Approval:

The Special Land Use approval shall become effective on the date of the favorable vote by the Township Board. Approval of the request for the Special Land Use shall authorize the Zoning Administrator to issue a zoning permit or certificate of occupancy provided all other township requirements are met.

8. Special Land Use Termination:

A Special Land Use permit shall be valid for as long as the use continues in accordance with the terms stated in the approval permit. A Special Land Use permit shall expire or be discontinued by one or more of the following conditions:

- a. When the Special Land Use has not been initiated within one (1) year from the date of approval. However, the Township Board may grant an extension, thereof, for good cause shown, for a period of time not to exceed six (6) months, and under such terms and conditions as it shall determine to be necessary and appropriate.
- b. When the Special Use is replaced by a Principal Permitted Use.
- c. When the applicant requests the rescinding or removal of the Special Use permit in writing.
- d. When, based on evidence of vacating, abandoning and/or moving the use to another location and the Planning Commission declares the Special Use to be null and void.
- e. When the specific terms of a Special Land Use permit have been violated and are not in compliance.
- f. Notice of termination of a Special Land Use permit shall be given to the applicant in writing. The applicant shall have thirty (30) days to appeal the termination.

501:4 STANDARDS FOR SPECIAL LAND USES AND STRUCTURES

In consideration of all applications for Special Land Use approval, the township shall review each case individually as to its applicability and must find affirmatively to each of the following standards of the proposed Special Land Use if it is to be approved.

1. The proposed Special Land Use shall be of such location, size and character that it will be in harmony with the appropriate and orderly development of the surrounding neighborhood and/or vicinity and applicable regulations of the zoning district in which it is to be located.
2. The proposed use shall be of a nature that will make vehicular and pedestrian traffic no more hazardous than is normal for the district involved, taking into consideration vehicular turning movements in relation to routes of traffic flow, proximity and relationship to intersections, adequacy of sight distances, location and access of off street parking and provisions for pedestrian traffic, with particular attention to minimizing child vehicle interfacing.
3. The proposed use shall be designed as to the location, size, intensity, site layout and periods of operation of any such proposed use to eliminate any possible nuisance emanating there from which might be noxious to the occupants of any other nearby permitted uses, whether by reason of dust, noise, fumes, vibration, smoke or lights.
4. The proposed use shall be such that the proposed location and height of buildings or structures and location, nature and height of walls, fences and landscaping will not interfere with or discourage the appropriate development and use of adjacent land and buildings or unreasonably affect their value.
5. The proposed use shall relate harmoniously with the physical and economic aspects of adjacent land uses as regards prevailing shopping habits, convenience of access by prospective patrons, continuity of development and need for particular services and facilities in specific areas of the township.
6. The proposed use is necessary for the public convenience at the proposed location.
7. The proposed use is so designated, located, planned and to be operated that the public health, safety and welfare will be protected.
8. The proposed use shall not cause substantial injury to the value of other property in the neighborhood in which it is to be located and will not be detrimental to existing and/or other permitted land uses in the zoning district.

**SECTION 501: 5 Utility Grid Wind Energy System(s)
Utility Grid WES's applications and projects, and Wind Site
Assessment systems, shall comply with the following standards in
addition to the standards of Section 402:15.**

1 Site Plan Review:

A site plan and a site plan review, meeting the requirements of Section 403 of the West Traverse Zoning Ordinance, shall be required. The application shall also include:

- a. A copy of an Environment Analysis by a third party qualified professional to identify and assess any potential impacts on the natural environment including, but not limited to wetlands and other fragile ecosystems, historical and cultural sites, and antiquities. The applicant shall take appropriate measures to minimize, eliminate or mitigate adverse impacts and shall show those measures on the site plan. The applicant shall identify and evaluate the significance of any net effects or concerns that will remain after mitigation efforts.
- b. A copy of the Avian and Wildlife Impact Analysis by a third party qualified professional to identify and assess any potential impacts on wildlife and endangered species. The applicant shall take appropriate measures to minimize, eliminate or mitigate adverse impacts, and shall show those measures on the site plan. The applicant shall identify and evaluate the significance of any net effects or concerns that will remain after mitigation efforts.

2. Maps shall be presented showing all of the following:

- a. The physical features and land uses of the project area, both before and after construction of the proposed project;
- b. Project area boundaries;
- c. The location, height, dimensions, color, and materials of all existing and proposed structures and fencing;
- d. The location, grades, and dimensions of all temporary and permanent on-site and access roads from the nearest county or state maintained road; and
- e. All new infrastructure above ground related to the project.

3. Insurance: Proof of the applicant's public liability insurance. This insurance shall be maintained throughout the life of the project.

4. Sound Pressure Level: Copies of modeling and analysis report.

5. Certifications: Certification that applicant has complied with or will comply with all applicable state and federal laws and regulations. Copies of all such permits and approvals that have been obtained or applied for at time of the application.

6. Visual Impact: Visual simulations of how the completed project will look from a minimum of four viewable angles.

Each WES, except for anemometer towers, shall be monopole or monotube style construction (as distinguished from a lattice-style tower) and shall not utilize guy wires. Anemometer towers may, for up to 3 years, be lattice type towers and may use guy wires.

7. **Shadow Flicker:** The applicant shall provide a shadow flicker model for any proposed WES. The model shall:
 - a. Map and describe within a one-mile radius of the proposed project site the topography, existing residences, locations of other structures, wind speeds and directions, existing vegetation and roadways;
 - b. The model shall represent the most probable scenarios of wind constancy, sunshine constancy, and wind directions and speeds;
 - c. Calculate the locations of shadow flicker caused by the proposed project and the expected durations of the flicker at these locations;
 - d. Calculate the total number of hours per year of flicker at all locations;
 - e. Identify problem areas where shadow flicker will interfere with existing or future residences and roadways and describe proposed measures to mitigate these problems, including, but not limited to, a change in siting of the facility, a change in the operation of the facility, or grading or landscaping mitigation measures.
 - f. The facility shall be designed such that shadow flicker will not fall on, or in, any existing dwelling. Shadow flicker expected to fall on a roadway or a portion of a residential parcel may be acceptable under the following circumstances:
 - 1) The flicker will not exceed 30 hours per year; and
 - 2) The flicker will fall more than 100 feet from an existing residence; or
 - 3) The traffic volumes are less than 500 vehicles per day on the roadway.

8. **Height.** The minimum vertical blade tip clearance from grade shall be forty (40) feet for a WES employing a horizontal axis rotor. The maximum height for Utility Grid Wind Energy Systems and Wind Site Assessment Systems is one hundred ninety-nine (199) feet.

9. **Maximum Noise Levels.** Any proposed Wind Energy System shall produce sound pressure levels that are no more than fifty-five (55) decibels as measured on the dB(A) scale at the property lines of the site in question. A noise report shall be submitted with any application for a WES. A noise report shall be prepared by a qualified professional and shall include the following, at a minimum:
 - a. A description and map of the project's noise producing features, including the range of noise levels expected, and the basis of the expectation.
 - b. Description and map of the noise sensitive environment, including any sensitive noise receptors, i.e. residences, hospitals, libraries, schools, places of worship, parks, areas with outdoor workers and other facilities where quiet is important or where noise could be a nuisance within two (2) miles of the proposed facility.

- c. A survey and report prepared by a qualified engineer that analyzes the preexisting ambient noise (including seasonal variation) and the affected sensitive receptors located within two (2) miles of the proposed project site. Potential sensitive receptors at relatively less windy or quieter locations than the project shall be emphasized and any problem areas identified;
 - d. A description and map of the cumulative noise impacts with any problem areas identified; and
 - e. A description of the project's proposed noise control features and specific measures proposed to mitigate noise impacts for sensitive receptors as identified above to a level of insignificance.
- 10. Soil Conditions.** A proposal for any Wind Energy System or anemometer tower shall be accompanied by a report of the soils present on the site based on soil borings, and a description of the proposed foundation size, materials, and depth.
- 11. Sign.** A sign no more than four (4) square feet in area displaying an address and telephone number for emergency calls and informational inquiries shall be posted at the WES. The emergency telephone number shall allow a caller to contact a responsible individual to address emergencies at any time during or after regular business hours, on weekends or holidays. No Wind Energy System tower or anemometer tower or site shall include any advertising sign.
- 12. Lighting.** WES's shall not be artificially lighted, unless required by the FAA or other applicable governmental authority. If lighting is required, the lighting alternatives and design chosen:
- a. Shall be the lowest intensity allowable under FAA regulations.
 - b. Shall not be strobe lighting or other intermittent white lighting fixtures, unless expressly required by the FAA. Such intermittent lighting shall be alternated with steady red lights at night if acceptable to the FAA.
 - c. May be a red top light that does not pulsate or blink.
 - d. All tower lighting required by the FAA shall be shielded to the extent possible and acceptable to the FAA to reduce glare and visibility from the ground.
 - e. Where acceptable to the FAA, the Township will approve white lights over red lights, and steady lights over strobed or intermittent lights.
 - f. The Planning Commission may require design changes in order to lessen the visual clutter associated with the siting of multiple wind turbines with non-complementary, inconsistent design within sight of each other.
- 13. Removal of Abandoned or Unsafe WES's**
Any WES that is not operated for a continuous period of twelve (12) months shall be considered abandoned. Any tower found by the Planning Commission to be unsafe or not in compliance with the standards related to noise or shadow flicker shall be found to be in violation of the permit. The owner of any WES that is abandoned or in violation of the permit shall remove the same within twelve (12)

months of receipt of notice from the Township of such abandonment or violation. In addition to removing the Wind Energy System or anemometer tower, the owner shall restore the site of the WES to its original condition prior to location of the WES, subject to reasonable wear and tear. Any foundation associated with a WES shall be removed to a minimum depth of five (5) feet below the final grade and site vegetation shall be restored. Failure to remove an abandoned WES within the twelve (12) month period provided in this subsection shall be grounds for the Township to remove the WES at the owner's expense. The Planning Commission shall require the applicant to provide a performance guarantee equal to the reasonable cost of removing the WES and attendant accessory structures as a condition of a permit given pursuant to this section.

14. **Complaint Resolution**: The applicant shall develop a process to resolve complaints from nearby residents concerning the construction or operation of the project. The process may use an independent mediator or arbitrator and shall include a time limit for acting on a complaint. The process shall not preclude West Traverse Township from acting on a complaint.

502 NONCONFORMING USES AND STRUCTURES

Within the districts established by this Ordinance or amendments that later may be adopted, there exist lots, structures, uses of land and structures and characteristics of use which were lawful before this Ordinance was passed or amended, but which would be prohibited, regulated or restricted under the terms of this Ordinance or future amendments. It is the intent of this Ordinance to permit these nonconformities to continue until they are removed, but not to encourage their survival.

502:1 NONCONFORMING USES OF LAND

Where at the time of the passage of this Ordinance lawful use of land exists which would not be permitted by the regulations imposed by this Ordinance and where such use involves individual structures with a replacement cost of less than one thousand dollars (\$1,000.00), the use may be continued so long as it remains otherwise lawful, provided:

1. No such nonconforming use shall be enlarged, increased or extended to occupy a greater area of land than was occupied at the effective date of adoption of this Ordinance.
2. No such nonconforming use shall be moved in whole or in part to any portion of the lot or parcel other than that occupied by such use at the effective date of adoption or amendment of this Ordinance.
3. If any such nonconforming use of land ceases for any reason for a period of more than thirty (30) days, any subsequent use of such land shall conform with the regulations specified by this Ordinance for the district in which such land is located.
4. No additional structure not conforming to the requirements of this Ordinance shall be erected in connection with such nonconforming use of land.

502:2 NONCONFORMING STRUCTURES

Where a lawful structure exists or is lawfully under construction at the effective date of adoption or amendment of this Ordinance that could not be built under the terms of this Ordinance by reason of restrictions on area, height, yards, its location on the lot or other requirements concerning the structure, such structure may be continued so long as it remains otherwise lawful subject to the following provisions:

1. No such nonconforming structure may be enlarged or altered in a way which increases its nonconformity, but any structure or portion thereof may be altered to decrease its nonconformity.

2. Any such nonconforming structure which has been damaged or destroyed by any means to an extent of more than fifty percent (50%) of its replacement cost at the time of damage or destruction, shall not be reconstructed except in case of unusual hardship for which the Zoning Board of Appeals may grant conditional approval for reconstruction.
3. Should such nonconforming structure be removed for any reason for any distance whatever, it shall thereafter conform to the regulations for the district in which it is located after it is moved.

502:3 NONCONFORMING USES OF STRUCTURES OR OF STRUCTURES AND PREMISES IN COMBINATION

If lawful use involving individual structures with a replacement cost of one thousand dollars (\$1,000.00) or more, or of structure and premises in combination, exists at the effective date of adoption or amendment of this Ordinance, that would be allowed in the district under the terms of this Ordinance, the lawful use may be continued as long as it remains otherwise lawful, subject to the following provisions:

1. No existing structure devoted to a use not permitted by this Ordinance in the district in which it is located shall be enlarged, extended, constructed, reconstructed, moved, or structurally altered except in changing the use of the structure to a use permitted in the district in which it is located.
2. Any nonconforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use at the time of adoption or amendment of this Ordinance, but no such use shall be extended to occupy any land outside such building.
3. If no structural alterations are made, any nonconforming use of a structure, or structure and premises, may as an exception, be changed to another nonconforming use provided the Zoning Board of Appeals, in considering the specific case, shall find that the proposed use is equally appropriate or more appropriate to the district than the existing nonconforming use. In permitting such change, the Zoning Board of Appeals may require appropriate conditions and safeguards in accord with the provisions of this Ordinance.
4. Any structure, or structure and land in combination, in or on which a nonconforming use is superseded by a permitted use, shall thereafter conform to the regulations for the district and the nonconforming use may not thereafter be resumed.

5. When a nonconforming use of a structure, or structure and premises in combination, is discontinued or abandoned for six (6) consecutive months or for eighteen (18) months during any three (3) year period (except when government action impeded access to the premises or if it is a seasonal type use), the structure or structure and premises combination, shall not thereafter be used except in conformity with the regulations of the district in which it is located.
6. Where nonconforming use status applies to a structure and premises in combination, removal or destruction of the structures shall eliminate the nonconforming status of the land. Destruction, for the purpose of this subsection, is defined as damage to an extent of more than fifty percent (50%) of the replacement cost at time of destruction.

502:4 REPAIR OR REPLACEMENT

Repair or replacement of nonbearing walls, fixtures, wiring or plumbing may be performed in or on a nonconforming use provided:

1. During any consecutive twelve (12) month period, extent of repair or replacement shall not exceed ten percent (10%) of the current replacement cost of the nonconforming structure.
2. Cubic contents of the structure shall not be increased.

502:5 CHANGE OF OWNERSHIP

Change of ownership between private parties does not remove the nonconformity nor extend time limits.

502:6 REPLACEMENT COST

Replacement cost as used in the above provisions is the cost of restoring the structure to its original condition as appraised by the building official. Persons aggrieved by said appraisal may appeal to the Zoning Board of Appeals.

502:7 REMOVAL OF NONCONFORMING STATUS

Any nonconforming structure or premises may be made conforming by appropriate action or modifications which cause the structure or premises to fulfill the requirements of the district in which it is located. In the case of a nonconforming use which is a use designated as a special use by this Ordinance, the nonconforming status may be removed

upon issuance of a special use permit after the appropriate action has been taken in accordance with the provisions of this Ordinance.

502:8 SPECIAL LAND USES NOT NONCONFORMING

Any existing use or uses hereafter approved as a Special Land Use or a Special Exception as provided in this Ordinance shall not be deemed a nonconforming use and shall, without further action, be deemed a conforming use in the appropriate district. This applies only to those uses which require a special exception or Special Land Use approval. It does not make other uses conforming.

503 SIGNS

All signs shall conform to all codes and ordinances of the Township of West Traverse and excepting "Exempted Signs" (Subsection 503:4), shall require approval and a permit issued by the Zoning Administrator for erection or alteration.

503:1 PERMITTED SIGNS AND DISTRICT REQUIREMENTS FOR SIGNS

Signs and devices in designated zoning districts are subject to the following regulations and requirements:

1. All Districts:

Signs established for the township, county, state or federal governments for public information or direction are permitted without special requirements.

2. A-1, R-1, C-1 and I-1 Districts: (amended 12-8-09)

- a. Signs shall have a maximum total surface area of twelve (12) square feet in an A-1 and R-1 District and thirty-two (32) square feet in a C-1 and I-1 District, and thirty two (32) square feet for businesses operating under Special Land Use approval.
- b. Signs shall be permitted anywhere on the premises except that they shall be at least ten (10) feet from the lot line and no closer than ten (10) feet to the highway right-of-way. The distance from the right-of-way may be decreased by the Zoning Administrator for temporary signs and the Planning Commission for permanent signs in specific instances where a finding is made that topography, geography or unalterable site vegetation render the signs unreadable. (Amended 12-13-05)
- c. One on premise freestanding sign shall be allowed per road frontage, up to a maximum of two freestanding signs per parcel or lot. In addition, one sign attached to the building shall be allowed. (Amended 12-13-05)
- d. Signs shall not be altered or used for other purposes than originally permitted and shall be removed within fourteen (14) days of termination of the original use.
- e. Signs shall indicate only the name of the use, product and/or occupant of the property upon which the sign is located and may include the address of said property.
- f. Signs with illumination shall be permitted providing the source of light is not visible from any roadway or any adjoining property.

- g. The height of freestanding signs shall not exceed fifteen (15) feet above the average finished grade. The height may be increased by the Zoning Administrator for temporary signs and the Planning Commission for permanent signs in specific instances where a finding is made that topography, geography or unalterable site vegetation render the signs unreadable. (Amended 12-13-05)

503:2 PROHIBITED SIGNS (Amended 12-13-05)

The signs and devices listed in this subsection shall not be permitted, erected or maintained in any district.

1. Signs which incorporate, in any manner, flashing lights, moving lights, scrolling motion with more than six (6) characters visible, or string lights.
2. Signs affixed to trees, shrubs, rocks or other natural features.
3. Any sign which has any visible moving parts, visible revolving parts, or visible mechanical movements of any description or other apparent visible movement achieved by electrical, electronic or mechanical means, including intermittent electrical pulsations or by action of natural wind currents.
4. Any sign or sign structure which is structurally unsafe, or constitutes a hazard to safety or health by reason of inadequate maintenance, dilapidation or abandonment or is not kept in good repair, or is capable of causing electrical shocks to persons likely to come in contact with it.
5. Any sign which, by reason of its size, location, content, coloring or manner of illumination, constitutes a traffic hazard or a detriment to traffic safety by obstructing the vision of drivers or by detracting from the visibility of any traffic sign or control device on public streets or roads.
6. Any sign which obstructs free ingress or egress through a required door, window, fire escape or other required exit way.
7. Signs which make use of words such as "STOP", "LOOK", "DANGER", or any other words, phrases, symbols or characters, in such a manner as to interfere with, mislead or confuse traffic.
8. Any sign on the highway right-of-way or otherwise unlawfully installed, erected or maintained.
9. Any sign which is not necessary to the business being conducted on the property on which the sign is located, except a sign which is for the purpose of direction only and which contains only the name of the business and its location.

10. Portable signs except as listed in Subsection 503:3 of this Ordinance.

503:3 TEMPORARY SIGNS

The signs and devices listed in this subsection shall be permitted on a temporary basis and shall not require a permit.

1. Construction signs which identify the name of the building, the owner, the architect, engineer, contractor and other individuals involved with the construction, but not including the advertisement of any product or service, during the period of construction. These signs shall have a maximum surface of twelve (12) square feet, shall be confined to the site of construction and shall be removed within seven (7) days following occupancy for the intended use of the project.
2. Real estate signs advertising the sale, rental or lease of the premises or part of the premises on which the signs are displayed. Such signs shall not exceed a total of twelve (12) square feet and shall be removed within seven (7) days after the sale, lease or rental.
3. Election campaign signs announcing a candidate or issue to be voted upon. Such signs shall not exceed a total area of twelve (12) square feet for each premises, shall be confined to private property and shall be removed within seven (7) days following the election to which they pertain.
4. Community or special event signs advertising a public entertainment or event. Such signs shall not exceed a total area of twelve (12) square feet and shall be removed within seven (7) days following the event.
5. Signs on farms advertising products raised and sold on the farm. Such signs shall not exceed a total area of twelve (12) square feet.

503:4 EXEMPTED SIGNS

The signs and devices listed in this subsection may be used without permit or approval when not in violation of any law or safety standard or any other portion of this Ordinance.

1. Signs erected by an official government body or agency and deemed necessary for the protection of the public health, safety and welfare.
2. Holiday decorations and greetings in season.
3. Signs required by law to be displayed.

4. Exempt signs on nonresidential establishments shall be limited to the following:
 - a. Temporary window signs not occupying more than twenty-five percent (25%) of the window space.
 - b. Wall signs and behind the window signs with lettering or symbols of three (3) inches or less may be permitted in addition to the permitted signs per establishment.
 - c. One (1) gasoline changeable price sign no larger than twelve (12) square feet for each establishment selling gasoline or diesel fuel as part of its principal permitted use.
5. One (1) non-illuminated nameplate, not more than two (2) square feet in area, which shall contain only the name and/or occupation of the resident of the premises.

503:5 APPLICATION

Any application for sign not covered by this section of the Ordinance will be referred to the Zoning Board of Appeals for granting or denying a permit, based on practical difficulties or unnecessary hardship.